

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIVERSAL TRADING & INVESTMENT
CO.,

Plaintiff

v.

PETRO MIKOLAYEVICH KIRITCHENKO,
et al.,

Defendants.

No. C-99-3073 MMC

**ORDER REQUIRING LAZARENKO
DEFENDANTS TO FILE DECLARATION
REQUIRED BY COURT'S JUNE 24, 2005
ORDER**

On June 16, 2005, the Lazarenko defendants filed an opposition to plaintiff's "Motion for Lifting Stay," but failed to serve the Court with a chambers copy. In an order filed June 20, 2005, the Court ordered the Lazarenko defendants to immediately submit a chambers copy of their opposition, and warned the parties that if they failed to provide chambers copies in the future, the Court would consider imposing sanctions, including, but not limited to, striking from the record any electronically-filed document of which a chambers copy had not been timely provided to the Court.

The Lazarenko defendants again failed to provide a chambers copy of their opposition. In an order filed June 24, 2005, the Court struck the Lazarenko defendants' opposition from the record, without prejudice to their filing a new opposition in compliance with General Order 45 and accompanied by a declaration explaining the reasons for their

1 failure to date to abide by the Court's orders.

2 On June 30, 2005, the Lazarenko defendants refiled their opposition and provided a
3 chambers copy to the Court, but failed to obey the Court's order to file a declaration
4 explaining the reasons for their previous failure to abide by the Court's orders.

5 Accordingly, the Lazarenko defendants are hereby ORDERED to file, no later than
6 July 11, 2005, a declaration explaining their failure to abide by the Court's orders to provide
7 chambers copies of their electronically-filed documents, and their failure to comply with the
8 Court's June 24, 2005 order requiring the filing of such declaration. A failure to comply with
9 this order may result in the Court's striking the opposition and deeming the motion
10 unopposed by the Lazarenko defendants.

11 **IT IS SO ORDERED.**

12 Dated: July 6, 2005

/s/ Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge